IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

MFA.No. 1394 of 2000()

OS.15/1994 of I ADDL.DISTRICT COURT, ERNAKULAM

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APPELLANTS/PETITIONERS:

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1. ALOSYOUS, S/O.ODATHAKKAL BERTHOLOMIA, RESIDING AT THOMMASSERY HOUSE, SOUDI, RAMESWARAM VILLAGE, KOCHI TALUK.

2. LILLY JOSEPH, W/O.LATE ODATHAKKAL JOSEPH, RESIDENT OF THOMMASSERY HOUSE, SOUDI, RAMESWARAM VILLAGE, KOCHI TALUK.

3. IRIS JOSEPH, D/O.LATE ODATHAKKAL JOSEPH, RESIDENT OF -DO- -DO-

4. ALFRED, S/O.LATE -DO- -DO-

5. JASMINE, D/O.LATE -DO- -DO-

6. MATHEW, S/O.LATE -DO- -DO-

7. HARISON, S/O.LATE -DO- -DO-

8. MERCIDOUS, D/O.LATE -DO- -DO-

9. CONSTANCE PEARL, D/O.LATE -DO- -DO-

BY ADV. SRI.A.ANTONY

RESPONDENTS/RESPONDENTS:

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1. PIUS, S/O.LATE ODATHAKKAL FRANCIS, RESIDENT OF THOMMASSERY HOUSE, SOUDI, RAMESWARAM VILLAGE, KOCHI TALUK (DIED)

2. DAISY, D/O.PIUS AND W/O.K.BERNARD, RESIDENT OF KALATHARA HOUSE, L.I.G., PANAMPILLY NAGAR, ERNAKULAM.

3. PHILOMINA @ PHANCY, D/O.PIUS, RESIDENT OF THOMMASSERY HOUSE, SOUDI, RAMESWARAM VILLAGE, KOCHI TALUK.

4. VIALET MARY PRESEELIA, D/O.PIUS, W/O.V.P.VARGHESE, ATTAPADOM DESOM, MURIGOOR, THRISSUR DISTRICT.

5. THOMAS, S/O.PIUS, RESIDENT OF THOMMASSERY HOUSE, SOUDI, RAMESWARAM VILLAGE, KOCHI TALUK.

6. JOSEPH, -DO- -OD-

7. FRANCIS @ FRANK, S/O.PETER, RESIDENT OF ARAKKAL HOUSE, SOUDI, RAMESWARAM VILLAGE, KOCHI TALUK.

8. THRESSIAMMA W/O.STANLY, RESIDENT OF KURISINKAL HOUSE, VELI, FORT KOCHI VILLAGE, KOCHI TALUK.

9. ARTHER, S/O.PETER, RESIDENT OF -DO- -DO-

10. ROSILY, D/O.KURISINKAL PETER AND W/O.GABRIEL, RESIDENT OF PANAKKAL HOUSE, KOLOTHUMAKADAVU, PALLIPURAM VILLAGE, PARAVUR TALUK.

11. AGNUS @ AMMINI, W/O.LATE JACOB, RESIDENT OF KURISINKAL HOUSE, NEAR KORATTI CONVENT, MURINGOOR, THEKKUMURI VILLAGE, MUKUNDAPURAM TALUK, THRISSUR DT.

12. C.T.SEBASTIAN @ SANTHOSH, S/O.C.A.THOMAS, CHARANGATTU HOUSE, EMPLOYED AT C & I DEPARTMENT, HEAD OFFICE OF STATE BANK OF TRAVANCORE, POOJAPURA, THIRUVANANTHAPURAM.

13. LINDA, D/O.C.A.THOMAS AND W/O. BENNY, VELLAPANAT HOUSE, THYCAL P.O., CHERTHALA, ALAPPUZHA DT.

14. LESLY, S/O.C.A.THOMAS, CHARANGATTU HOUSE, PADUPURAKKAL, MARARIKULAM NORTH VILLAGE, CHETHY P.O., CHERTHALA, ALAPPUZHA DT.

15. LISIE, D/O.C.A.THOMAS, -DO- -DO-

16. LINIE, -DO- -DO- -DO-

17. MARIYAMMA W/O.LATE PIUS, RESIDENT OF THOMMASSERY HOUSE, SOUDI, RAMESWARAM VILLAGE, KOCHI TALUK.

18. MARGRETT, D/O.LATE PIUS, RESIDENT OF ST. JOSEPH CONVENT, VELI, FORT KOCHI VILLAGE, KOCHI TALUK.

19. C.J.THOMAS, S/O.JOSEPH, CHARANGATTU HOUSE, MARARIKULAM NORTH VILLAGE, CHETHY, P.O., ALAPPUZHA DT.

BY ADV. SRI.P.F.THOMAS
SRI.SUNIL THOMAS
SRI.JOJI SUNIL
SMT.A.K.RANI

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 04/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR ,J.

M.F.A.No.1394 of 2000

Dated, this the 4th day of October, 2007

JUDGMENT

When the matter is taken up the learned counsel appearing for the appellants submits that the matter has been settled out of court and as such the appeal may be dismissed as settled out of court.

In the result, appeal is dismissed as settled out of court.

K. PADMANABHAN NAIR,
JUDGE.

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K.PADMANABHAN NAIR,J.

M.F.A.No.1394 of 2000

JUDGMENT

4th September, 2007.